

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

VERIZON COMMUNICATIONS INC.,  
CELLCO PARTNERSHIP d/b/a VERIZON  
WIRELESS, and VERIZON CORPORATE  
SERVICES GROUP, INC.,

Defendants.

Civil Action No. 2:23-cv-00352-JRG-RSP

JURY TRIAL DEMANDED

**DEFENDANTS' UNOPPOSED MOTION TO EXPEDITE BRIEFING AND  
CONSIDERATION OF DEFENDANTS' OBJECTIONS TO ORDER DISQUALIFYING  
WILMER CUTLER PICKERING HALE AND DORR LLP (DKT. 391)**

Defendants Verizon Communications Inc., Cellco Partnership d/b/a/ Verizon Wireless, and Verizon Corporate Services Group, Inc. respectfully move under Local Rule CV-7(e) for expedited briefing and consideration of Defendants' objection to Judge Payne's July 11, 2025, Memorandum Order granting Plaintiff Headwater Research LLC's motion to disqualify Wilmer Cutler Pickering Hale and Dorr LLP ("WilmerHale") (Dkt. 391), filed concurrently herewith.

Last Wednesday evening, Headwater Research filed a motion to disqualify WilmerHale. Dkt. 385. Pursuant to the Court's expedited briefing schedule for that motion, Defendants filed their opposition on Friday afternoon. Dkt. 388. Judge Payne granted the motion to disqualify on Friday evening. Dkt. 391. Defendants filed their objections before 9 AM the following business day.

Defendants respectfully submit that the implications of the disqualification order to the

upcoming trial, which begins in three days on Thursday, July 17, 2025, provides good cause for Defendants' request. As the disqualification order acknowledges, "Verizon will undoubtedly encounter some prejudice from the loss of one of its law firms this close to trial." Dkt. 391 at 4. WilmerHale attorneys have spent hundreds of hours investigating plaintiff's infringement allegations, including the design and operation of the accused features in the Apple devices at issue, and working with the Apple witnesses on the parties' witness lists, including an Apple witness who will testify at trial this week. Dkt. 388-2, ¶ 3. Consideration of the Defendants' objections on an expedited basis is necessary given the timing for the beginning of trial.

The Court need not wait for Headwater Research's response to Defendants' objections. *See* L.R. CV-72(b) ("[T]he court need not await the filing of a response before ruling on an objection."). But to the extent Headwater Research submits a response, it should be required to do so today so that the Court may consider Defendants' objections promptly.

Counsel for Defendants met and conferred with counsel for Plaintiff concerning the relief sought by this motion. Counsel for Plaintiff stated: "We expect that Headwater will be able to file a response today, but given the timing of your forthcoming objections, we cannot agree to file a response by the close of business today."

Dated: July 14, 2025

Respectfully submitted,

/s/ Mark D. Selwyn  
Mark D. Selwyn (*pro hac vice*)  
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*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was filed electronically and served on all counsel of record through ECF on July 14, 2025.

/s/ Mark D. Selwyn  
Mark D. Selwyn

**CERTIFICATE OF CONFERENCE**

I hereby certify that counsel for Defendants has complied with the meet and confer requirement in Local Rule CV-7(h) by meeting and conferring with counsel for Defendants concerning the relief sought by this motion. Counsel for Plaintiff stated: “We expect that Headwater will be able to file a response today, but given the timing of your forthcoming objections, we cannot agree to file a response by the close of business today.”

/s/ Mark D. Selwyn  
Mark D. Selwyn